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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
10 SAN JOSE DIVISION

11 Fereshte Faustini, NO. C 04-04548 JW

12 Plaintiff(s),  
v.  
13 Microsoft Corporation et al,  
14 Defendant(s).  
15 \_\_\_\_\_/

**ORDER TO SHOW CAUSE  
RE: SETTLEMENT**

16 On February 2, 2006, the parties informed the Court that the above-entitled matter has  
17 reached a settlement. In light of the settlement, the Court vacates all trial and pretrial dates. On or  
18 before **May 1, 2006**, the parties shall file a stipulated dismissal pursuant to Federal Rule of Civil  
19 Procedure 41(a).

20 If a dismissal is not filed by the specified date, all parties shall appear in Courtroom No. 8,  
21 4th Floor, United States District Court, 280 South First Street, San Jose, Ca. on **May 15, 2006** at  
22 9:00 a.m. and to show cause, if any, why the case should not be dismissed pursuant to Fed. R. Civ.  
23 P. 41(b). On or before **May 4, 2006**, the parties shall file a joint statement in response to the Order  
24 to Show Cause. The joint statement shall set forth the status of the activities of the parties for  
25 finalizing the settlement and how much additional time is requested to finalize and file the dismissal.  
26 If a voluntary dismissal is filed as ordered, the Order to Show Cause hearing will be automatically  
27 vacated.

28 Failure to comply with any part of this Order will be deemed sufficient grounds to dismiss

1 this action.

2 Dated: February 3, 2006

/s/James Ware  
JAMES WARE  
United States District Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2 Kathleen O. Peterson [kathleen@prestongates.com](mailto:kathleen@prestongates.com)  
3 Melissa Ellen Lamfalusi [MelissaL@prestongates.com](mailto:MelissaL@prestongates.com)  
3 Robert M. Lubin [r1817@aol.com](mailto:r1817@aol.com)

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5 **Dated: February 3, 2006**

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7 **Richard W. Wiking, Clerk**

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By: /s/JW Chambers  
Melissa Peralta  
Courtroom Deputy